

AMENDMENTS TO THE DRAWINGS:

The attached sheet which includes a sole figure, replaces the original sheet including the sole figure.

In the sole figure, legends are provided for each of the blocks of the diagram.

Attachment: Replacement Sheet(s)

REMARKS

The application has been amended and is believed to be in condition for allowance.

Claims 9-16 remain in this application.

Amendments to the Disclosure

The claims, the specification, and the drawing figure are amended responsive to the Official Action's objections and rejections, as detailed below.

The claims are further amended to address antecedent basis issues and with formal revisions in consideration of U.S. practice and preferences.

New claims 17-23 are introduced to further distinguish the invention from the prior art.

The amendments to the claims, the specification, and the drawing figure do not introduce new matter.

Formal Matters - Objections to the Application

The Official Action objected to the specification, stating that the specification should contain section headings.

In reply, the specification is amended responsive to the Official Action's objection. Withdrawal of the objection to the specification is respectfully requested.

The Official Action objected to the drawing figure, stating that the claimed subject matter must be shown in great enough detail as to enable one of ordinary skill in the art to make and use the invention.

In reply, the drawing figure has been amended to include legends for each of the blocks of the diagram. The legends find support in the specification as originally filed at pages 8-11. Withdrawal of the objection to the drawing figure is earnestly solicited.

Formal Matters - Section 112, second paragraph

The Official Action rejected claims 9-16 under 35 USC 112, second paragraph.

The Official Action rejected claim 9, stating that the manner or steps by which the recited feature "verifying the safety of the actual route of the aircraft" is accomplished with respect to the parameters and actual flight terrain.

The Official Action rejected claim 15, stating that the recitation "the apparatus (1) being suitable for implementing the method according to claim 9" incorporates the deficiency of claim 9.

In reply, claim 9 has been amended in a manner believed to overcome the Official Action's rejection. The amendment finds support in the specification and the drawing figure as originally filed (see, e.g., page 7, lines 29-32) and does not introduce new matter.

Withdrawal of the rejection under section 112, second paragraph is respectfully requested.

From the foregoing, it will be apparent that Applicants have fully responded to the December 23, 2008 Official Action and that the claims as presented are patentable. In view of this,

Applicants respectfully request reconsideration of the claims, as presented, and their early passage to issue.

In order to expedite the prosecution of this case, it is requested that the Examiner telephone the attorney for Applicants at the number set forth below if the Examiner is of the opinion that further discussion of this case would be helpful.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

/Jeremy G. Mereness/  
Jeremy G. Mereness, Reg. No. 63,422  
209 Madison Street  
Suite 500  
Alexandria, VA 22314  
Telephone (703) 521-2297  
Telefax (703) 685-0573  
(703) 979-4709

JGM/jr

**APPENDIX:**

The Appendix includes the following item(s):

- ☒ - a Replacement Sheet for the sole Figure of the drawings